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HOUSE BILL 2575

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State of Washington

57th Legislature

2002 Regular Session

By Representatives Rockefeller, Ericksen, Upthegrove, Linville, Doumit and Lysen

Read first time 01/22/2002. Referred to Committee on Natural Resources.

1 AN ACT Relating to Puget Sound marine resource committees; amending  
2 RCW 79.24.580; adding a new chapter to Title 77 RCW; and creating a new  
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that there is growing  
6 evidence that the marine ecosystem in Puget Sound is in serious  
7 decline. The depletion of marine resources has hurt economies and  
8 communities around the Puget Sound. In particular, the serious decline  
9 of marine fish has caused great concern. In response to this problem,  
10 a growing number of local governments and state agencies have begun  
11 work constructing a network of marine protected areas, where fishing  
12 and harvesting of marine organisms are discouraged or prohibited. A  
13 primary goal of this effort is to rebuild stocks of marine fish, over  
14 time, to harvestable levels. Local governments in the Northwest  
15 Straits region have established marine resource committees to help  
16 facilitate this process. The legislature recognizes there is a need to  
17 expand this work into other parts of the Puget Sound. Furthermore,  
18 while the legislature recognizes that much progress has been made in  
19 this area by both state and local agencies, there is a need for better

1 coordination among these agencies so that limited financial resources  
2 are used in the most efficient and effective manner possible.

3 NEW SECTION. **Sec. 2.** It is the policy of the state of Washington  
4 to establish a scientifically defensible network of marine protected  
5 areas in Puget Sound. The department, the department of ecology, the  
6 department of natural resources, the Puget Sound action team, and the  
7 state parks and recreation commission must work together and with local  
8 authorities to achieve this goal.

9 NEW SECTION. **Sec. 3.** The legislative authority for each city and  
10 county that borders the marine waters of Puget Sound is authorized to  
11 establish marine resource committees. The mission of the committee,  
12 utilizing sound science, is to address the needs of the local marine  
13 ecosystem. The committees must review current data and programs and  
14 make prioritized recommendations for additional measures that might be  
15 necessary to enhance protection of marine resources. The goals of the  
16 committee include the following:

17 (1) Use existing data and, to the extent necessary, help gather new  
18 data on the health of local marine resources. This includes a review  
19 of data compiled by state and federal resource agencies;

20 (2) Make scientifically based recommendations on local candidate  
21 sites for marine protected areas;

22 (3) Work closely with local and state officials to help implement  
23 recommendations;

24 (4) Promote public outreach and education around these issues; and

25 (5) Any other activities that the participating city or county  
26 deems appropriate.

27 NEW SECTION. **Sec. 4.** (1) Marine resource committees may be  
28 created by the legislative authority of a city or county bordering the  
29 marine waters of Puget Sound. In doing so, cities and counties must  
30 coordinate and cooperate with all appropriate special districts within  
31 their boundaries in establishing the marine resource committee and  
32 implementing its recommendations. County and city legislative  
33 authorities are encouraged to coordinate, especially in areas where  
34 they border one another.

35 (2) Participating county and city legislative authorities must  
36 select members of the marine resource committee, ensuring balanced

1 representation from: Local government; scientific experts; effected  
2 economic interests; effected recreational interests; and environmental  
3 and conservation interests.

4 (3) County and city residents may petition the county or city  
5 legislative authority to create a marine resource committee. Upon  
6 receipt of a petition, the city or county legislative authority must  
7 respond in writing within sixty days as to whether they will authorize  
8 the creation of a marine resource committee as well as the reasons for  
9 their decision.

10 NEW SECTION. **Sec. 5.** Nothing in this chapter is intended to  
11 expand or limit the authority of local marine resource committees  
12 existing as of the effective date of this section.

13 NEW SECTION. **Sec. 6.** (1) The Puget Sound marine protection task  
14 force is created. The task force must be chaired by the Puget Sound  
15 action team and include representatives of the following state  
16 agencies: The department of ecology; the department of fish and  
17 wildlife; the parks and recreation commission; and the department of  
18 natural resources.

19 (2) By December 31, 2002, the task force must report to the  
20 legislature and provide recommendations on ways in which state and  
21 local efforts to establish marine protected areas, marine reserves, and  
22 similar programs can be better coordinated and make better use of  
23 limited financial resources, while simultaneously ensuring protection  
24 of the marine environment. Specifically, the task force must make  
25 recommendations on the following:

26 (a) Mechanisms for better coordination of state-level marine  
27 protection programs, including the department of fish and wildlife's  
28 marine protected area designation and the department of natural  
29 resources' marine reserves program; and

30 (b) Mechanisms for better communication and coordination with local  
31 marine resource committees.

32 NEW SECTION. **Sec. 7.** In establishing marine reserves and marine  
33 protected areas, state and local governments must recognize the  
34 comanagement role of tribal governments. The state must coordinate on  
35 a government-to-government basis with tribal governments prior to  
36 adopting any marine reserve or marine protected area proposal.

1       **Sec. 8.** RCW 79.24.580 and 2001 c 227 s 7 are each amended to read  
2 as follows:

3       After deduction for management costs as provided in RCW 79.64.040  
4 and payments to towns under RCW 79.92.110(2), all moneys received by  
5 the state from the sale or lease of state-owned aquatic lands and from  
6 the sale of valuable material from state-owned aquatic lands shall be  
7 deposited in the aquatic lands enhancement account which is hereby  
8 created in the state treasury. After appropriation, these funds shall  
9 be used solely for aquatic lands enhancement projects; for the  
10 purchase, improvement, or protection of aquatic lands for public  
11 purposes; for providing and improving access to such lands; ~~((and))~~ for  
12 volunteer cooperative fish and game projects; and for the funding of  
13 Puget Sound marine resource committees created under the authority of  
14 chapter 77.-- RCW (sections 1 through 5 and 7 of this act).

15       In providing grants for aquatic lands enhancement projects, the  
16 department shall require grant recipients to incorporate the  
17 environmental benefits of the project into their grant applications,  
18 and the department shall utilize the statement of environmental  
19 benefits in its prioritization and selection process. The department  
20 shall also develop appropriate outcome-focused performance measures to  
21 be used both for management and performance assessment of the grants.  
22 To the extent possible, the department should coordinate its  
23 performance measure system with other natural resource-related agencies  
24 as defined in RCW 43.41.270. The department shall consult with  
25 affected interest groups in implementing this section.

26       During the fiscal biennium ending June 30, 2001, the funds may be  
27 appropriated for boating safety, shellfish management, enforcement, and  
28 enhancement and for developing and implementing plans for population  
29 monitoring and restoration of native wild salmon stock.

30       NEW SECTION.   **Sec. 9.** Sections 1 through 5 and 7 of this act  
31 constitute a new chapter in Title 77 RCW.

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